

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
)	
Rural Call Completion)	WC Docket No. 13-39
)	
)	

REPLY COMMENTS OF VERIZON AND VERIZON WIRELESS

Commenters uniformly agree that customers should have their calls delivered, regardless of whether those calls are to rural or urban destinations. The comments filed in response to the *Further Notice*¹ demonstrate that providers are continuing to focus on this issue while engaging in intensive efforts to implement the Commission’s recently adopted rules requiring recordkeeping and reporting. The data reported in the manner prescribed by the Commission may provide insights into whether and under what circumstances calls are or are not being delivered to the terminating carriers, which the Commission recognized is the relevant inquiry and not whether a particular call is answered. As such, the Commission should reject calls to place further obligations on these providers at this point, whether in the form of new data to retain and report or certifications to file when covered providers also serve as intermediate providers. The Commission should first assess the vast data that it will collect and identify any deficiencies before requiring more from those same providers.

¹ See *Rural Call Completion, Report and Order and Further Notice of Prepared Rulemaking*, 28 FCC Rcd 16154 (2013) (“*Further Notice*”).

At the same time, the Commission should not overlook the importance of the data RLECs receive or generate related to incoming calls. Unique information from terminating carriers would complement data reported by covered originating providers. It would help confirm whether and under what circumstances call are or are not delivered to the terminating carriers and to identify any issues on the terminating carriers' side of the hand off, thus enabling the Commission to more quickly identify areas where remedial measures may be necessary. Since reporting has yet to begin, it is unclear whether a significant number of RLECs will voluntarily retain this data and report it quarterly to the Commission. RLECS should be willing to provide this data in order to help identify and resolve any issues, so the Commission should evaluate RLECs' retention and reporting practices before considering resorting to mandates.

DISCUSSION

I. The Commission Should Not Impose Further Requirements on Covered Providers.

Some commenters contend that the Commission's newly enacted rules do not go far enough and propose adding even more reporting requirements to rectify this. In particular, commenters suggest that the Commission adopt requirements that (i) covered providers retain and report data identifying the originating long-distance provider;² (ii) tandem switching service providers that deliver traffic to rural exchanges report quarterly data on incoming calls;³ and (iii) intermediate providers submit quarterly reports and/or periodic, detailed certifications.⁴ Verizon, too, has questions concerning the efficacy of

² See Oregon Public Utility Commission Comments at 4.

³ See Comcast Comments at 2-3.

⁴ See, e.g., Level 3 Comments at 3-5; Windstream Comments at 2-3.

the data retention and reporting rules in resolving any rural call completion problems,⁵ but the answer cannot be to require more data from covered providers at this point, particularly without first evaluating the data that already will be provided in response to the newly adopted rules.

It is premature for the Commission to impose new obligations on covered providers. The *Order*⁶ is not yet effective, and the Commission has yet to review the quarterly reports required from the covered providers, much less to identify any shortcomings in the data. The Commission will receive a substantial volume of granular data each quarter from covered providers, which may well help to identify any systemic rural call completion issues for further examination. The data reported in the manner prescribed by the *Order* may help to shed light on whether calls are or are not delivered to terminating carriers, which the Commission recognized is the relevant inquiry, and by doing so, may help to identify issues on the terminating carriers' side of the hand off. And it may be that these reports will reveal that the rules already require more data than is needed. Indeed, the Commission itself acknowledges that the rules may be overbroad as it tasks the Wireline Competition Bureau with analyzing two years of reports submitted by covered providers and recommending what existing reporting should be

⁵ Verizon has long favored a voluntary joint testing program that would provide an opportunity for an originating service provider to identify any call failures in real time and to troubleshoot with the terminating RLEC shortly thereafter. *See* Verizon Comments at 6-7 (May 13, 2013) (“Verizon 2013 Comments”). The industry is pursuing such joint testing today, even as it grapples with implementing the Commission’s retention and reporting requirements.

⁶ *See Further Notice*, ¶¶ 13-119 (“*Order*”).

“*reduced or eliminated.*”⁷ Notably, the *Order* does not contemplate *increasing* the reporting burdens on covered providers.

Moreover, covered providers are working diligently to meet the *Order*’s requirements by the expected effective date and cannot change course mid-stream to capture additional data, particularly those data elements suggested in the comments. For instance, Verizon does not segregate its records by originating provider in the ordinary course. Verizon would have to undertake significant systems and process changes to marry the identity of the originating provider – to the extent it is available – with the specific call detail records that will form the basis of Verizon’s reports. This burden would far outweigh the utility of the data since Verizon does not route calls any differently based on the identity of the originating provider.

Likewise, while some of Verizon’s LEC affiliates operate tandem switches that deliver calls directly to RLECs, acquiring and reporting data pertaining to calls through these switches would be a significant burden. As USTelecom and ITTA have explained with respect to intraLATA toll calls,⁸ many LECs, including Verizon, do not have existing systems and processes that would capture attempted calls through the LEC facilities. Potential solutions to capture this data would be prohibitively expensive.⁹

Finally, as Verizon has previously explained, any requirements placed on intermediate providers will also fall squarely on many covered providers since covered

⁷ *Order* ¶ 105 (emphasis added).

⁸ See United States Telecom Association & Independent Telephone & Telecommunications Association, Petition for Reconsideration, at 3-6.

⁹ *Id.* at 6-7.

providers may carry wholesale traffic as intermediate providers.¹⁰ In fact, because a covered provider is not required to segregate the traffic it carries as an intermediate provider from its quarterly reports,¹¹ the Commission will likely already be receiving data about calls carried by intermediate providers. Any separate reporting requirement for intermediate providers would contradict the *Order*'s intent to relieve providers of the burdens from segregating this traffic. As such, the Commission should avoid new requirements on intermediate providers – whether retention, reporting, registration, certification, or other – that would impact covered providers.¹²

In sum, the Commission should reject calls for increasing the already heavy reporting obligations on covered providers. Instead, the Commission should be taking a markedly different approach so that the burdens on many in the industry can be reduced. To that end, the Commission should work expeditiously with industry to establish appropriate safe harbors. Verizon has proposed minor modifications to the safe harbor to allow a carrier to route traffic for overflow purposes – a network management practice that enhances the reliability and resilience of the PSTN.¹³ Other approaches to safe harbors include Verizon's previous suggestion of a performance safe harbor based on relative performance¹⁴ and CenturyLink's proposal based on achieving certain

¹⁰ See Verizon Comments at 6-7; see also CenturyLink Comments at 2.

¹¹ *Order* at n.64.

¹² Indeed, as part of the Wireline Competition Bureau's two-year review referenced above, the Bureau is required to examine whether reporting from "certain" intermediate providers – presumably those that are not already covered providers – may be needed. *Order* ¶ 105.

¹³ See Verizon Comments at 2-6.

¹⁴ See Verizon 2013 Comments at 13-14 ("[T]he Commission could rank the providers by the lowest to highest differential between rural and non-rural call

performance metrics.¹⁵ Both proposals merit further exploration by the Commission and industry.

II. The Commission Should Encourage RLECs To Produce Relevant Data.

As many commenters make clear, there is considerable value in the Commission obtaining incoming call data from RLECs.¹⁶ Information on call attempts from the originating side (i.e., the covered provider) is only one-half of the story. Information on call attempts that is only observable by RLECs may help in the more timely identification of areas or routes where remedial measures may be necessary.

Each quarter, the Commission will receive from covered providers voluminous spreadsheets containing data on monthly originated call attempts to rural OCNs. Presumably, Commission staff will collate the data from different providers to attempt to discern which, if any, rural OCNs are experiencing materially lower call completion rates. Once any rural OCNs are identified, the key question will be “why?” Answering this question will be a complex undertaking, but the Commission’s inquiry will almost always be advanced by data from the relevant RLEC.

For instance, information on incoming calls can help highlight any mismatches between the number of call attempts being initiated by covered providers and the number of attempts being signaled all the way through to the RLEC. In addition, RLEC-provided

cont’d.

completion rates and determine the differential that represents the top quartile of providers. That percentage should be the threshold for the safe harbor . . .”).

¹⁵ See CenturyLink Comments at 3-5 (proposing a safe harbor if in two consecutive reporting periods, the delta between non-rural and rural aggregate call answer rates is 5% of less based on Network Efficiency Ratio).

¹⁶ See, e.g., Comcast Comments at 2-3; Level 3 Comments at 5-6; National Cable & Telecommunications Association Comments at 4; Sprint Comments at 1-3.

information can help identify disparities in call treatments (e.g., different volumes of busy calls, ring-no-answer calls, or unassigned number responses). Conflicting data would highlight potential issues in the networks or practices of the relevant providers, including potentially the terminating RLEC itself. And this additional transparency into the originating and terminating sides of each call would provide an incentive for intermediate providers to rectify any substandard routing or signaling practices in advance of Commission action.

Because visibility into call attempts and resulting call treatment from the terminating side as well as the originating side is an important tool for solving rural call completion problems, the Commission should encourage RLECs to retain and report data regarding incoming call attempts, broken down by the same categories (i.e., answered, signaled as busy, ring-no-answer, or unassigned number) as for covered providers. RLECs should be willing to provide this information if call completion issues are frequent and pervasive in order to help identify and resolve any issues. Should the degree to which RLECs voluntarily submit reports prove insufficient, the Commission can then revisit requiring such reporting.

Respectfully submitted,

Michael E. Glover
Of Counsel

/s/ Mark J. Montano
Christopher M. Miller
Mark J. Montano
VERIZON
1320 North Courthouse Road
9th Floor
Arlington, VA 22201
(703) 351-3158

*Attorneys for Verizon
and Verizon Wireless*

February 18, 2014